

PUBLIC NOTICE

**Daicel Safety Systems America, LLC
Beaver Dam, Ohio County, Kentucky
Decision to Grant an Emergency Permit
EPA I.D KYR-000-034-207
AI#: 6238**

The Kentucky Energy and Environment Cabinet's (Cabinet) Division of Waste Management (Division), has decided to grant an emergency permit request for Daicel Safety Systems America, LLC (DSSA) facility located on 720 Old Liberty Church Rd in Beaver Dam, KY. 42320. The site contact is Mr. Jonathan Brown and can be reached at (270) 274-2600.

Why does DSSA need an emergency permit from the Division?

A temporary emergency permit is to allow a facility to treat, store or dispose of a hazardous waste in the event that the Division finds imminent and substantial endangerment to human health or the environment. DSSA generates and treats off-spec gas generant hazardous wastes, in which they are considered to be characteristically reactive. In July of 2008, DSSA reached its maximum hazardous waste treatment quantity of 25 tons allowable in their Part B hazardous waste permit. At the time of issuance, DSSA did not have approval from the US Department of Transportation for the transportation of this waste material to an off-site disposal facility. This temporary emergency permit which was issued on November 26, 2008 and will expire on February 23, 2009, is necessary to allow DSSA to treat 26,500 pounds of gas generant wastes accumulated since May of 2008.

How can I tell the Division what I think about this decision?

The Division encourages public involvement and welcomes comments. Anyone wishing to comment or request a public hearing on this decision should submit comments to the Cabinet. Electronic comments should be submitted to Kelly.Neal@ky.gov ; written comments should be mailed to: April J. Webb, P.E., Manager, Hazardous Waste Branch, Division of Waste Management, 200 Fair Oaks Lane, Frankfort, KY 40601, (502) 564-6716, ext. 4699.

Where can I review the documents used to make this decision?

Ohio County Public Library, 413 Main Street, Hartford, KY, 42347. Contact Melissa Acquaviva, (270) 298-3790

Division of Waste Management, 200 Fair Oaks Lane, Frankfort, KY 40601. Contact Tina Fisher (502) 564-6716 ext 4686, E-mail: tina.fisher@ky.gov.

What will the Division do with the comments they receive?

All comments received by April 2, 2009 will be reviewed by the Division. Anyone submitting comments will be mailed a "response to public comments" document specifying any changes made or not made, with the reasons why, as a result of the comment(s) submitted.

Any person who may be aggrieved by the decision on the request for emergency permit submitted by DSSA may file a petition with the cabinet which sets forth the grounds of the objection and demands a formal hearing pursuant to KRS 224.10-420(2). This type of hearing is held before a hearing officer and all parties are advised to have legal counsel present.

The Division of Waste Management does not discriminate on the basis of race, age, religion, sexual orientation or gender identity, ancestry, age, disability, or veteran status. The division provides, on request, reasonable accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternate format, contact Kelly Neal at (502) 564-6716, ext. 4684.